

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Kelly Woodburn, Thomas Woodburn, and  
Joshua Rodriguez, individually and on  
behalf of all others similarly situated,

Plaintiffs

v.

City of Henderson, et al.,

Defendants

Case No. 2:19-cv-01488-CDS-DJA

**Order Adopting the Report and  
Recommendation of the United States  
Magistrate Judge Granting in Part and  
Denying in Part Defendant City of  
Henderson's Motion for Sanctions**

[ECF Nos. 205, 210]

United States Magistrate Judge Daniel Albregts issued a report and recommendation (R&R) that I dismiss five opt-in plaintiffs from this action for failing to prosecute this case, and that I grant in part and deny in part the City of Henderson's motion for sanctions. R&R, ECF No. 210 (addressing Henderson's motion for sanctions, ECF No. 205). Judge Albregts recommends dismissal for plaintiffs Arias, Zamora-Rios, Weathers, and Montano pursuant to Federal Rules of Civil Procedure 37(b)(2)(A) and 41(b). *Id.* at 4–7. He further recommends that plaintiff Dema be dismissed under Federal Rule of Civil Procedure 41(a)(2). *Id.* at 7. Finally, he recommends dismissal be granted without prejudice for all five of the opt-in plaintiffs. *Id.* at 8–10.

The parties had until January 2, 2025, to lodge any objections to the R&R. *See id.* at 10–11; Local Rule IB 3-2(a) (stating that parties wishing to object to an R&R must file objections within fourteen days); *see also* 28 U.S.C. § 636(b)(1)(C) (same). As of the date of this order, no objections have been filed. “[N]o review is required of a magistrate judge’s report and recommendation unless objections are filed.” *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also* *Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Because no objections are filed, I adopt the R&R in full and grant in part and deny in part the City of Henderson’s motion for sanctions.

Conclusion

IT IS HEREBY ORDERED that the magistrate judge's report and recommendation [ECF No. 210] is adopted in its entirety, therefore the City of Henderson's motion for sanctions [ECF No. 205] is granted in part and denied in part. Opt-in plaintiffs Abresha Dema, Gabriel Arias, Octaviano Zamora-Rios, Edward Weathers, and Andrew Montano's claims are dismissed from this action without prejudice and without conditions.

Dated: January 15, 2025

  
Cristina D. Silva  
United States District Judge